

TRANSMITTAL SHEET FOR  
NOTICE OF INTENDED ACTION

Control 410 Department or Agency State Health Planning and Development  
Agency (Certificate of Need Review Board)

Rule No. 410-1-3-.07

Rule Title: Periodic Reports

New  Amend  Repeal  Adopt by Reference

Would the absence of the proposed rule significantly harm or endanger the public health, welfare, or safety? NO

Is there a reasonable relationship between the state's police power and the protection of the public health, safety, or welfare? YES

Is there another, less restrictive method of regulation available that could adequately protect the public? NO

Does the proposed rule have the effect of directly or indirectly increasing the costs of any goods or services involved and, if so, to what degree? NO

Is the increase in cost, if any, more harmful to the public than the harm that might result from the absence of the proposed rule? NO

Are all facets of the rulemaking process designed solely for the purpose of, and so they have, as their primary effect, the protection of the public? YES

\*\*\*\*\*  
Does the proposed rule have an economic impact? YES

If the proposed rule has an economic impact, the proposed rule is required to be accompanied by a fiscal note prepared in accordance with subsection (f) of Section 41-22-23, Code of Alabama 1975.

\*\*\*\*\*

Certification of Authorized Official

I certify that the attached proposed rule has been proposed in full compliance with the requirements of Chapter 22, Title 41, Code of Alabama 1975, and that it conforms to all applicable filing requirements of the Administrative Procedure Division of the Legislative Reference Service.

Signature of certifying officer *Ava M. Lambert*

Date 5-21-13

DATE FILED  
(STAMP)

ECONOMIC IMPACT STATEMENT  
FOR APA RULE  
(Section 41-22-23 (f))

Control No. \_\_\_\_\_ Department or Agency State Health Planning and Development Agency  
Certificate of Need Review Board

Rule No & Title: 410-1-3-.07 Periodic Reports

New \_\_\_\_\_ Amend X Repeal \_\_\_\_\_ Adopt by Reference \_\_\_\_\_

\_\_\_\_\_ This rule has no economic impact.

X This rule has an economic impact, as explained below:\*

1. NEED/EXPECTED BENEFIT OF RULE:

This rule provides for the imposition of a fee utilized to fund the State Health Planning and Development Agency's operations. The fee is authorized by Act 2012-294, which was signed into law by Governor Robert Bentley on May 8, 2012.

2. COSTS/BENEFITS OF RULE AND WHY RULE IS THE MOST EFFECTIVE, EFFICIENT, AND FEASIBLE MEANS FOR ALLOCATING RESOURCES AND ACHIEVING THE STATED PURPOSE:

None

3. EFFECT OF THIS RULE ON COMPETITION:

None

4. EFFECT OF THIS RULE ON COST-OF-LIVING AND DOING BUSINESS IN THE GEOGRAPHICAL AREA WHERE THE RULE IS TO BE IMPLEMENTED:

None

\* The rule imposes a small fee on certain health care providers. It is not anticipated that the fee will have a material economic impact on health care delivery. Reduced fees are imposed for electronic transmissions.

**APA-6**

5. EFFECT OF THIS RULE ON EMPLOYMENT IN THE GEOGRAPHICAL AREA WHERE THE RULE IS TO BE IMPLEMENTED:

None

6. SOURCE OF REVENUE TO BE USED FOR IMPLEMENTING AND ENFORCING THIS RULE:

None

7. THE SHORT-TERM/LONG-TERM ECONOMIC IMPACT OF THIS RULE ON AFFECTED PERSONS, INCLUDING ANALYSIS OF PERSONS WHO WILL BEAR THE COSTS AND THOSE WHO WILL BENEFIT FROM THE RULE:

None

8. UNCERTAINTIES ASSOCIATED WITH THE ESTIMATED BENEFITS AND BURDENS OF THE RULE, INCLUDING QUALITATIVE/QUANTITATIVE BENEFITS AND BURDEN COMPARISON:

None

9. THE EFFECT OF THIS RULE ON THE ENVIRONMENT AND PUBLIC HEALTH:

None

10. DETRIMENTAL EFFECT ON THE ENVIRONMENT AND PUBLIC HEALTH IF THE RULE IS NOT IMPLEMENTED:

None



## STATE HEALTH PLANNING AND DEVELOPMENT AGENCY

100 NORTH UNION STREET, SUITE 870

MONTGOMERY, ALABAMA 36104

### **NOTICE OF INTENDED ACTION**

AGENCY NAME: STATE HEALTH PLANNING AND DEVELOPMENT AGENCY  
(Certificate of Need Review Board)

RULE NO. & TITLE: 410-1-3-.07 Periodic Reports

INTENDED ACTION:

The State Health Planning and Development Agency and the Certificate of Need Review Board propose to amend the above-styled section of the *Alabama Certificate of Need Program Rules and Regulations*.

SUBSTANCE OF PROPOSED ACTION:

This amendment will allow interested parties to subscribe to receive special periodic status reports of all pending matters from the Agency in printed or electronic format.

TIME, PLACE, MANNER OF PRESENTING VIEWS:

In response to this Proposed Rule, all interested persons are invited to submit data, views, comments and/or arguments, orally or in writing. Any and all such data, comments, arguments and/or requests to orally address the Certificate of Need Review Board shall be made in writing on or before July 5, 2013, and shall be made to:

Nicole Horn, Executive Secretary  
State Health Planning and Development Agency  
P. O. Box 303025  
Montgomery, Alabama 36130-3025

On July 17, 2013, at 10:00 a.m., the Certificate of Need Review Board shall conduct a public hearing in the State Capitol, Capitol Auditorium, 600 Dexter Avenue, Montgomery, Alabama, at which time it shall consider the Proposed Amendment, along with all written and oral submissions respecting the Proposed Amendment. Only those interested persons who have made timely written requests will be afforded the opportunity to speak.

Copies of the proposed changes are available for review at 100 North Union Street, RSA Union Building, Suite 870, Montgomery, Alabama. Phone (334) 242-4103 or visit the office Monday through Friday from 8:00 a.m. to 5:00 p.m., excluding State holidays.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

July 5, 2013

CONTACT PERSON AT AGENCY:

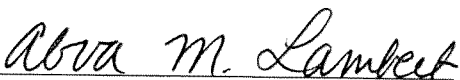
Nicole Horn

100 North Union Street

RSA Union, STE 870

Montgomery, AL 36104

(334) 242-4103

  
Alva M. Lambert, Executive Director

**410-1-3-.07    Periodic Reports**

The State Agency will prepare and publish at least annually, ~~preferably on a monthly basis,~~ decisions made by the Certificate of Need Review Board, certificates issued, and the status of proposals in the Certificate of Need process. Subscribers may obtain a special, monthly status report of all pending matters upon payment of an annual fee of \$180.00 (for a print report) or \$90.00 (for an electronic report, when available). Interested parties may subscribe to receive printed notice of all SHPDA filings as processed at an annual fee of \$50.00 for a single location or \$250.00 for multiple locations or, when available, electronic notice of such filings for \$25.00 for a single location or \$125.00 for multiple locations.

**Author:** Alva M. Lambert

**Statutory Authority:** § 22-21-275(15), Code of Alabama, 1975

**History:** Filed \_\_\_\_\_; effective \_\_\_\_\_. Amended: Filed \_\_\_\_\_; effective \_\_\_\_\_.